

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
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FILED

UNITED STATES OF AMERICA,

Plaintiff,

v.

AWILDA ENID ROSARIO,  
JOHN CURTIS NAILER, and  
BRENDA ALEQUIN,

Defendants.

Case No. **09 CR-305**  
[T. 18 U.S.C. §§ 1341 & 1349 & 1029(a)(5)]

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. Beginning in approximately August 2008, and continuing thereafter until approximately December 22, 2008, in the State and Eastern District of Wisconsin, and elsewhere,

**AWILDA ENID ROSARIO,  
JOHN CURTIS NAILER and  
BRENDA ALEQUIN**

knowingly conspired with each other and with others known and unknown to the grand jury, to defraud U.S. Bank, N.A. and its customers by means of mailings, in violation of Title 18, United States Code, Section 1341.

2. The primary purpose of the conspiracy was to divert ReliaCard debit cards, issued by U.S. Bank, N.A., from the rightful cardholders to members of the conspiracy in the Eastern District of Wisconsin, so that the debit cards could be used by members of the conspiracy to withdraw cash at automatic teller machines and to make purchases at retail establishments.

3. The defendants knew, intended, and could reasonably foresee that one or more of the conspirators would (a) make materially false representations to ReliaCard customer service representatives respecting the postal addresses of ReliaCard holders; and (b) thus cause replacement debit cards to be mailed to members of the conspiracy in the Eastern District of Wisconsin.

#### **Manner And Means of the Conspiracy**

4. U.S. Bank contracts with the States of Michigan, Minnesota, and Washington to provide ReliaCard debit cards to individuals who receive child support and unemployment benefits. The debit cards bear the names of the cardholders.

5. Metavante Corporation, which, at all times relevant to the indictment, was headquartered in Milwaukee, Wisconsin, administered the ReliaCard debit card program for U.S. Bank.

6. Upon receipt of a ReliaCard debit card, a cardholder was asked to "activate" the card by calling Metavante and following automated prompts. When reporting a change of address or requesting a replacement card, the cardholder would contact a customer service representative at Metavante's call center in Milwaukee, Wisconsin. The caller would be asked to verify his or her identity by providing two identifying pieces of information from a menu of such information that was on file for the cardholder. Upon verification of the caller's identity, the customer service representative would process the change-of-address and/or replacement-card request.

7. Awilda Enid Rosario ("Rosario") was employed by Metavante as a temporary worker in the company's call center in Milwaukee from approximately August 11, 2008 until October 7, 2008. Rosario transcribed personal data about ReliaCard cardholders into a notebook. Later, using this personal information, she posed as a cardholder and called to request a replacement card. At the

same time, Rosario provided what she claimed was a new address for the cardholder, using various addresses in the Milwaukee, Wisconsin area that were accessible to her, but not necessarily traceable to her. These addresses included the address of defendant Brenda Alequin ("Alequin"), who knowingly allowed it to be used for the purpose of receiving diverted replacement cards.

8. Replacement ReliaCards were mailed to 19 "cardholders" at the various Milwaukee area addresses, and approximately 8 of the mailings were intercepted by Rosario and/or her associates.

9. Rosario's associates included Alequin and defendant John Curtis Nailer ("Nailer"), both of whom knowingly participated in the scheme on an ongoing basis. Not only were Alequin and Nailer aware of Rosario's fraudulent calls to the call center, and the ensuing mailings, they also, along with Rosario, used the replacement cards to make purchases at Milwaukee-area retail outlets and to obtain cash at automatic teller machines (ATMs).

10. When making withdrawals from ATMs, the defendants wore hooded sweatshirts or otherwise obscured their facial features to conceal their identities.

11. As a result of the conspiracy, the defendants fraudulently obtained more than \$34,000.

All in violation of Title 18, United States Code, Section 1349.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

12. On or about December 2, 2008, in the State and Eastern District of Wisconsin and elsewhere,

**AWILDA ENID ROSARIO and  
BRENDA ALEQUIN**

for the purpose of executing and attempting to execute the fraud scheme described in Count One of this indictment, did knowingly cause a replacement Reliacard debit card to be sent and delivered by the United States Postal Service to "L.J." at 1217 South 25th Street in Milwaukee, Wisconsin.

All in violation of Title 18, United States Code, Section 1341.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

13. On or about the dates set forth below, in the State and Eastern District of Wisconsin

**JOHN CURTIS NAILER**

knowingly and with intent to defraud, effected and attempted to effect transactions affecting interstate commerce using one or more access devices issued to other persons, to receive payment and other valuable things the aggregate value of which was equal to or greater than \$1,000:

<b>Date</b>	<b>Transaction</b>	<b>Amounts</b>	<b>ReliaCard issued to:</b>
10/05/2008	ATM withdrawals; Guaranty Bank; 8151 W. Bluemound Road; Milwaukee	\$502.50 \$502.50	T.N.
10/17/2008	ATM withdrawals; Legacy Bank; 2102 W. Fond du Lac Avenue, Milwaukee	\$502.00 \$482.00	H.N.

All in violation of Title 18, United States Code, Section 1029(a)(5).

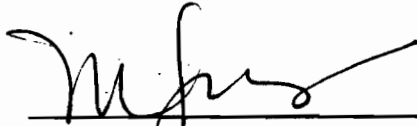
A TRUE BILL;

[REDACTED]

Foreperson

12/15/09

Date



MICHELLE L. JACOBS  
United States Attorney